

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14953 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -PARASBIGHA District- JEHANABAD

Sushma Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rashmi Kumari Mandilwar

For the Opposite Party/s : Mr. U.L.Verma(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in connection with Paras Bigha P.S. Case No. 10 of 2016 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, Meena Devi was found dead having burn injuries and before that Meena Devi informed her elder sister Punam Devi through mobile that her daughter-in-law Sushma Devi (petitioner) can kill her at any time and she requested to bring her. It is alleged that the petitioner and other co-accused after sprinkling kerosene oil have burnt the deceased to death.

Submission is of false implication and that complaint case no. 248 of 2012 was going on which was lodged by the petitioner against the husband and other in-laws and after

compromise, the petitioner was brought in the in-laws house. The husband of the petitioner performed another marriage, the mother-in-law of the petitioner died in accidental burn due to the short-circuit of electricity and this fact has been stated by the witnesses vide paragraph 20, 21 and 23 of the case diary, in post-mortem examination also, opinion regarding cause of death has been kept reserved and without any fault, petitioner is suffering in custody since 08.02.2016

The learned A.P.P opposes the prayer of the bail by submitting that the informant Punam Devi and other witnesses have supported the allegation and after completion of the investigation, charge sheet has been submitted.

In the facts and circumstances stated above, considering there is no chance of tampering with prosecution evidence, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Jehanabad in connection with Paras Bigha P.S. Case No. 10 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner

shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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